

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CASE NO. 7:20-CR-00178-M-1

UNITED STATES OF AMERICA,
Plaintiff,

v.

DELONTA ALVERSE PITTS,
Defendant.

ORDER


This matter is before the court on the Defendant's Motion to Temporarily Release Defendant on Compassionate Furlough [DE-25] so that he may attend his grandfather's funeral in Clinton, North Carolina, on February 23, 2021. The Government objects to the requested relief. DE-25 ¶ 11.

The court may permit a person's temporary release from pretrial detention if "such release [is] necessary for preparation of the person's defense or for another compelling reason." 18 U.S.C. § 3142(i). "[M]ost of the opinions granting temporary release have done so where the defendant demonstrated a terminal illness or particularly severe medical condition that could not be adequately treated within the correctional system." *United States v. Creek*, 457 F. Supp. 3d 473, 476, 479 (D. Md. 2020) (discussing the recent application of § 3142(i) in the context of COVID-19 and finding, on remand from the Fourth Circuit, that the defendant bore his burden of demonstrating that his personal risk of contracting COVID-19 at the facility he was placed in rose to the level of a compelling reason).

The passing of a relative is certainly difficult and the court offers its condolences. However, given the serious nature of the charges Mr. Pitts presently faces, including but not limited to the possession of a firearm by a convicted felon, the court finds that Mr. Pitts has failed to meet his burden

in demonstrating that funeral attendance constitutes a compelling reason for temporary release under the circumstances. The motion is therefore DENIED.

SO ORDERED this 22^d day of February, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE